

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SUSEN GENCH,

Plaintiff,

-v.-

HOSTGATOR.COM LLC, et al.,

Defendants.  
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14 Civ. 3592 (RA) (GWG)

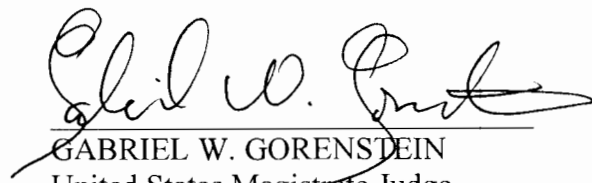
ORDER

**GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE**

Plaintiff's letter of June 26, 2015 (Docket # 135) contains two paragraphs, ¶¶ 18, 19, in which she seeks to disqualify the undersigned. 28 U.S.C. § 455(a), (b)(1) provides, inter alia, that a judge must disqualify himself from a case where his "impartiality might reasonably be questioned," or where he "has a personal bias or prejudice concerning a party." Neither of these circumstances exists here. The factual basis for plaintiff's application arises from actions taken by the undersigned in this case. The Supreme Court has held, however, that "opinions formed by the judge on the basis of facts introduced or events occurring in the course of the current proceedings, or of prior proceedings, do not constitute a basis for a bias or partiality motion unless they display a deep-seated favoritism or antagonism that would make fair judgment impossible." Liteky v. United States, 510 U.S. 540, 555 (1994). The Court harbors no antagonism toward plaintiff and no favoritism toward defendants. Plaintiff complains of rulings adverse to her, but a court's "[f]ailure to grant . . . relief sought is not an adequate ground for recusal." Razzoli v. U.S. Parole Comm'n, 2010 WL 5027548, at \*1 (E.D.N.Y. Dec. 2, 2010) (citations omitted). Accordingly, plaintiff's application for disqualification of the undersigned is denied.

SO ORDERED.

Dated: June 30, 2015  
New York, New York

  
GABRIEL W. GORENSTEIN  
United States Magistrate Judge

Copy mailed to:

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